

SENATE BILL 475 (LRB -4102)

An Act to amend 20.410 (3) (kp) and 938.48 (8p) of the statutes; relating to: reimbursement of counties and Indian tribes for unexpected or unusually high-cost out-of-home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts and making an appropriation. (FE)

2010

01-22.	S.	Introduced by Senator Holperin .	
01-22.	S.	Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing	500
01-28.	S.	Fiscal estimate received.	
02-04.	S.	Public hearing held.	
02-08.	S.	Executive action taken.	
02-09.	S.	Report passage recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0	548
02-09.	S.	Available for scheduling.	
02-18.	S.	Referred to joint committee on Finance by committee on Senate Organization pursuant to Senate Rule 41 (1)(e)	572
02-18.	S.	Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization pursuant to Senate Rule 41 (1)(e)	572
02-18.	S.	Placed on calendar 2-23-2010 pursuant to Senate Rule 18(1)	572
02-23.	S.	Read a second time	582
02-23.	S.	Ordered to a third reading	582
02-23.	S.	Rules suspended	582
02-23.	S.	Read a third time and passed , Ayes 32, Noes 0	582
02-23.	S.	Ordered immediately messaged	584
02-24.	A.	Received from Senate	693
02-24.	A.	Read first time and referred to committee on Corrections and the Courts	694
03-11.	A.	Public hearing held.	
04-01.	A.	Executive action taken.	
04-06.	A.	Report concurrence recommended by committee on Corrections and the Courts, Ayes 12, Noes 0	786
04-06.	A.	Referred to committee on Rules	786
04-15.	A.	Made a special order of business at 11:47 A.M. on 4-20-2010 pursuant to Assembly Resolution 23	869
04-20.	A.	Read a second time.	
04-20.	A.	Ordered to a third reading.	
04-20.	A.	Rules suspended.	
04-20.	A.	Read a third time and concurred in , Ayes 98, Noes 0.	
04-20.	A.	Ordered immediately messaged.	
04-21.	S.	Received from Assembly concurred in.	

2009

ENROLLED BILL

09en SB-475

ADOPTED DOCUMENTS:

☒ Orig ☐ Engr SubAmdt

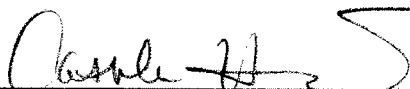
09 -4102/1

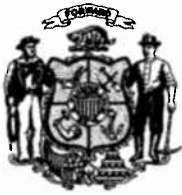
Amendments to above (if none, write "NONE"): NONE

Corrections - show date (if none, write "NONE"): NONE

Topic RELATING CLAUSE

4/29/2010
Date


Enrolling Drafter



2009 SENATE BILL 475

January 22, 2010 – Introduced by Senator HOLPERIN. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1 **AN ACT** *to amend* 20.410 (3) (kp) and 938.48 (8p) of the statutes; **relating to:**
2 reimbursement of counties and Indian tribes for unexpected or unusually
3 high-cost out-of-home care placements of Indian juveniles who have been
4 adjudicated delinquent by tribal courts and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, \$75,000 in Indian gaming receipts is appropriated to the Department of Corrections in each of fiscal years 2009–10 and 2010–11 to reimburse tribes and county departments of human services or social services (county departments) for unexpected or unusually high-cost out-of-home care placements of Indian juveniles who have been adjudicated delinquent. Currently, an Indian juvenile may be adjudicated delinquent by either a tribal court or by a court assigned to exercise jurisdiction under the Juvenile Justice Code (commonly referred to as a “juvenile court”). This bill limits the use of those moneys to reimbursement of tribes and county departments for unexpected or unusually high-cost out-of-home care placements of Indian juveniles who have been adjudicated delinquent *by tribal courts*.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 475

SECTION 1. 20.410 (3) (kp) of the statutes, as created by 2009 Wisconsin Act 28,
is amended to read:

20.410 (3) (kp) *Indian juvenile placements.* The amounts in the schedule to be used for unexpected or unusually high-cost out-of-home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 21d. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 2. 938.48 (8p) of the statutes, as created by 2009 Wisconsin Act 28, is amended to read:

938.48 (8p) INDIAN JUVENILE PLACEMENTS. Reimburse Indian tribes and county departments, from the appropriation under s. 20.410 (1) (kp), for unexpected or unusually high-cost out-of-home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts. In this subsection, “unusually high-cost out-of-home care placements” means the amount by which the cost to -a an Indian tribe or to a county department of out-of-home care placements of Indian juveniles who have been adjudicated delinquent by tribal courts exceeds \$50,000 in a fiscal year.

(END)